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CRL OP No. 3968 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3968 of 2026

Sumathi

No. 7/289, Upper Paralai, Valparai, Iyerpadi,
Coimbatore 642108

..Petitioner(s)

Vs

The State Rep. by the Inspector of Police,
W-19, Adyar AWPS,
Chennai.
Cr. No. 22/2006.

..Respondent(s)

PRAYER: To enlarge the petitioner on bail in the event of his arrest in the split up CC. No. 4298/2019 on the file of XVIII Metropolitan Magistrate, Saidapet.

For Petitioner(s): M.Soundar Vijay Arulram

For Respondent(s): M/S.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 494, 417 of IPC and 4 of Tamil Nadu Prohibition of Women Harassment Act 1998, in Crime No.22 of



2006, seeks anticipatory bail.

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2. The allegation against the petitioner is that the petitioner is facing prosecution for offences under sections 498(A), 494, 417 of IPC and 4 of the Tamil Nadu Prohibition of Women Harassment Act, 1998. Hence the complaint.

3. The learned counsel for the petitioner would submit that it is alleged that earlier she was not served with summons of the trial Court and without serving summons, straight away a Non Bailable Warrant was issued and subsequently the case is also split up against the other accused and the trial is proceeding. The petitioner came to know that a Non Bailable Warrant is issued against the petitioner and she is ready to co-operate with the trial process. Therefore, he prays for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police submitted that the petitioner was earlier not arrested and only an absconding charge sheet has been filed and a Non Bailable Warrant was pending for a long period and now the case is split up against the petitioner and a Non Bailable Warrant is pending now against her. Hence, vehemently opposed to the grant of anticipatory bail to the petitioner.



5. Considering the fact that an absconding charge sheet is filed and the petitioner is a lady and though it is stated the Non Bailable Warrant is pending for a longer period, admittedly no summons were served on her, hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned XVIII Metropolitan Magistrate, Saidapet**, on condition that **the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner shall report before the Trial Court everyday at 10.30 a.m., for a period of one week.**



(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

18-02-2026

MPA
To

1.The XVIII Metropolitan Magistrate, Saidapet.
2.The State Rep. by the Inspector of Police,
W-19, Adyar AWPS,
Chennai.
Cr. No. 22/2006.

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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